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PRE-APPEAL BRIEF REQUEST FOR REVIEW

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On August 16, 2005Signature *Renée D. East*Typed or
Printed name Renée D. EastDocket Number: 1689(15724)Application No.: 10/054,103Filed: 10/25/2001First Named Inventor: Benjamin J. Parker et al.Art Unit: 2155Examiner: Kevin T. Bates

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

Signature

☐ assignee of record of the entire interest.See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)Mark L. Mollon
Typed or printed name☒ attorney or agent of record.Registration Number 31,123734-542-0900
Telephone number☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

August 16, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U. S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

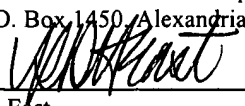
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Renee D. East

Date of signature and deposit - August 16, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Benjamin J. Parker et al)	Group Art Unit: 2155
)	
Serial No.: 10/054,103)	Confirmation No.: 3674
)	
Filed: 10/25/2001)	Examiner: Kevin T. Bates
)	
For: Configuration Recovery After)	Attorney Docket: 1689(15724)
Gateway Failure)	

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Alexandria, VA 22313-1450

REMARKS ACCOMPANYING REQUEST FOR
PRE-APPEAL BRIEF CONFERENCE

Honorable Sir:

Pursuant to the procedure specified in the Notice published in the Official Gazette on July 12, 2005, review is requested for the following reasons.

The final rejection contains clear errors in that 1) claimed limitations are clearly not met by the cited references, and 2) proper motivation for combining the references has not been shown.

Regarding the limitations not met by the prior art, Sitaraman in view of Grant fails to show or suggest storing user status information in a table in a RADIUS server during times that an authenticated user session is established with the gateway, the RADIUS server being on a physically separate machine than the gateway and being connected to the gateway via a computer network. As explained in the amendment filed June 14, 2005, in the paragraph bridging pages 2 and 3, nothing in

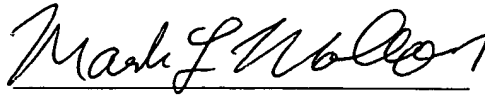
Sitaraman teaches or suggests redundant storage of user data for authenticated user sessions on another machine. Furthermore, Grant fails to suggest using a table to recover user status information relating to an authenticated user session on a gateway (see the paragraph bridging pages 4 and 5 of the amendment filed March 15, 2005).

In the final rejections of claims 5 and 6, Sitaraman and Grant clearly lack any teaching or suggestion of limitations concerning the host object and connection object as described in the first and second full paragraphs on page 3 of the amendment filed June 14, 2005. The Advisory Action of June 24, 2005, cites columns 9 and 10 of Sitaraman to supposedly support the statement that Sitaraman teaches host and connection objects. This portion of Sitaraman relates to an IP address management system for allocating IP addresses. This user information is maintained separate from any actual connection with the user. The host and connection objects recited in claims 5 and 6, however, are clearly shown and defined as objects used by an actual gateway that is in communication with the user (i.e., the objects are part of the network protocol for maintaining an open communication link between devices). Thus, the final rejection and the Advisory Action clearly fail to show the recited limitations.

Regarding the clear failure to show motivation for combining Sitaraman and Grant, the ability of Sitaraman to function the same way with its RADIUS server either in the same machine as the service selection gateway or in a different machine provides proof not only that Sitaraman fails to show or suggest the recited limitations, but also that Sitaraman fails to provide an appreciation that a standalone RADIUS server would be constructed such that it is less likely than a gateway to exhibit a failure (see page 2 of the specification). Grant relates to re-establishing sessions with a failed application program by defining a persistent session state. Neither the final rejection of May 20, 2005, nor the Advisory Action of June 24, 2005, shows a valid reason why one skilled in the art would be motivated to store user status information in a table on a RADIUS server based on knowledge of the technique of Grant for dealing with a failed application when a logical unit running the application fails.

In view of the foregoing reasons, claims 1-7 are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark L. Mollon", written over a horizontal line.

Mark L. Mollon
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Dated: August 16, 2005
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